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PTO/SB/21 (6-99)

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## TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

<b>TRANSMITTAL FORM</b> (to be used for all correspondence after initial filing)	<b>Application Number</b>	10/651,852	
	<b>Filing Date</b>	August 29, 2003	
	<b>First Named Inventor</b>	Richard G. Cartledge	
	<b>Group/Art Unit</b>	3731	
	<b>Examiner Name</b>	To Be Assigned	
<b>Total Number of Pages in This Submission</b>		<b>Attorney Docket Number</b>	42749-0012

### ENCLOSURES (check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Response <input type="checkbox"/> Exhibits <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input checked="" type="checkbox"/> Information Disclosure Statement with PTO-1449 <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Small Entity Status Claimed <input type="checkbox"/> Statement under 3.73(b)	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Additional Enclosure(s) (please identify below): 15 Foreign References (77 cited) and Return Receipt Postcard
<b>Remarks</b>  AUTHORIZATION TO CHARGE DEPOSIT ACCOUNT 08-1641 (ATTORNEY DOCKET NO.: 42749-0012) FOR ANY FEES DUE IN CONNECTION WITH THIS PAPER.		

### SIGNATURE OF APPLICANT, ATTORNEY OR AGENT

Firm or Individual name	Paul Davis, Reg. No. 29,294, HELLER EHRMAN LLP		
Signature			
Date	February 22, 2006	Customer Number:	25213

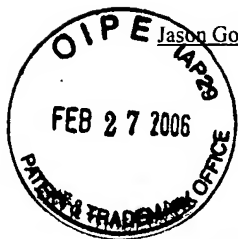
### CERTIFICATE OF FIRST CLASS MAILING

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Signature		Date	February 22, 2006

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Jason Gonzalez

**PATENT**

**Attorney Docket No.: 42749-0012**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**PATENT APPLICATION**

Inventor(s): Richard G. Cartledge, et al.

Application No.: 10/651,852

Filed: August 29, 2003

Title: Apparatus for Implanting Surgical Devices for  
Controlling the Internal Circumference of an  
Anatomic Orifice or Lumen

Art Unit: 3731

Examiner: To Be Assigned

**INFORMATION DISCLOSURE STATEMENT**

**UNDER 37 C.F.R. §1.97**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Listed below or on an attached Form PTO-1449 is information known to applicant(s). A copy is provided of each foreign patent, each cited pending unpublished U.S. application, and all additional publications other than U.S. patents and U.S. patent application publications. 37 C.F.R. §§1.97-1.98.

Applicants respectfully request that the listed information be considered by the Examiner and be made of record in the above-identified application. If form PTO-1449 is enclosed, the Examiner is requested to initial and return it in accordance with MPEP §609.

This statement is not intended to represent that a search has been made or that the information cited in the statement is, or is considered to be, material to patentability as defined in §1.56.



This statement qualifies under 37 C.F.R. §1.97, subsection (b) because (check all that apply):

- ☐ (1) It is being filed within 3 months of the application filing date and is other than a continued prosecution application under § 1.53(d)  
-- OR --  
☐ (2) It is being filed within 3 months of entry of a national stage  
-- OR --  
☒ (3) It is being filed before the mail date of the first Office Action on the merits  
-- OR --  
☐ (4) It is being filed before the mailing of a first Office Action after the filing of a request for continued examination under § 1.114.

☐ 37 C.F.R. §1.97(c). If this statement is being filed after the latest of: (1) three months beyond the filing date of a national application; (2) three months beyond the date of entry of the national stage as set forth in §1.491 in an international application; or (3) the mailing date of a first Office action on the merits, but before the mailing date of the earlier of a final office action under §1.113 or a notice of allowance under §1.311, then:

- ☐ a certification as specified in §1.97(e) is provided below; **or**  
☐ a fee of \$180.00 as set forth in §1.17(p) is authorized below, enclosed, or included with the payment of other papers filed together with this statement.

☐ 37 C.F.R. §1.97(d). If this statement is being filed after the mailing date of the earlier of a final office action under §1.113 or a notice of allowance under §1.311, but before payment of the issue fee, then:

- A. a certification as specified in §1.97(e) is completed below; and  
B. a petition under 37 C.F.R. §1.97(d) requesting consideration of this statement is submitted herewith; **and**  
C. a fee of \$130.00 as set forth in §1.17(i)(1) is authorized below, enclosed, or included with the payment of other papers filed together with this statement.

☒ **Fee Authorization.** The Commissioner is hereby authorized to charge any additional fees or credit any overpayment associated with this communication to Deposit Account No. 08-1641 (Docket No.: 42749-0012).

Respectfully submitted,

HELLER EHRMAN LLP

By: Paul Davis  
Paul Davis

Reg. No.: 29,294

Dated: February 22, 2006

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<b>INFORMATION DISCLOSURE STATEMENT</b>  <b>PTO-1449</b>			ATTY. DOCKET NO. 42749-0012		SERIAL NO. 10/651,852	
			APPLICANT: Richard G. Cartledge, et al.			
			FILING DATE: 08/29/2003		GROUP: 3731	
<b>U.S. PATENT DOCUMENTS</b>						
EXAMINER'S INITIALS	PATENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE
	US 2003/0050693	03/13/2003	Rodolfo C. Quijano, et al.	623	2.11	
	US 2003/0074012	04/17/2003	John D. Nguyen, et al.	606	139	
	US 2003/0093148	05/15/2003	Steven F. Bolling, et al.	623	2.36	
	US 2003/0199974	10/23/2003	Andrew Lee, et al.	623	2.36	
	US 2004/0019378	01/29/2004	Edwin J. Hlavka, et al.	623	2.11	
	US 2004/0030382	02/12/2004	Frederick G. St. Goar, et al.	623	2.36	
	US 2004/0088047	05/06/2004	Paul A. Spence, et al.	623	2.36	
	US 2004/0111099	06/10/2004	John D. Nguyen, et al.	606	139	
	US 2004/0148019	07/29/2004	Robert M. Vidlund, et al.	623	2.36	
	US 2004/0148021	07/29/2004	Richard G. Cartledge, et al.	623	2.37	
	US 2004/0153147	08/05/2004	Mark L. Mathis	623	2.37	
	US 2004/0181238	09/16/2004	David Zarbatany, et al.	606	108	
	US 2004/0193191	09/30/2004	Niel F. Starksen, et al.	606	153	
	US 2004/0249453	12/09/2004	Richard G. Cartledge, et al.	623	2.37	
	US 2005/0060030	03/17/2005	Randall T. Lashinski, et al.	623	2.37	
	US 2005/0065550	03/24/2005	Niel F. Starksen, et al.	606	219	
	US 2005/0070999	03/31/2005	Paul A. Spence	623	2.37	
	US 2005/0119734	06/02/2005	Paul A. Spence, et al.	623	2.11	
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	US 2005/0131533	06/16/2005	Ottavio Alfieri, et al.	623	2.36	
	US 2005/0149114	07/07/2005	Richard G. Cartledge, et al.	606	213	
	5,102,417	04/07/1992	Julio C. Palmaz	606	195	
	5,411,552	05/02/1995	Henning R. Anderson, et al.	623	2	
	5,423,851	06/13/1995	Shaun L. W. Samuels	606	198	
	5,713,951	02/03/1998	Michi E. Garrison, et al.	623	2	
	5,769,812	06/23/1998	John H. Stevens	604	4	
	5,814,097	09/29/1998	Wesley D. Sterman, et al.	623	2	
	5,908,435	06/01/1999	Shaun L. W. Samuels	606	200	
	5,972,030	10/26/1999	Michi E. Garrison, et al.	623	2	
EXAMINER			DATE CONSIDERED			

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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<b>U.S. PATENT DOCUMENTS</b>						
EXAMINER'S INITIALS	PATENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE
	5,984,959	11/16/1999	John Charles Robertson, et al.	623	2	
	5,989,284	11/23/1999	Michael D. Laufer	607	96	
	6,269,819	08/07/2001	Mehmet C. Oz, et al.	128	898	
	6,355,030	03/12/2002	William N. Aldrich, et al.	606	28	
	6,451,054	09/17/2002	John H. Stevens	623	2.11	
	6,464,707	10/15/2002	David B. Bjerken	606	139	
	6,514,265	02/04/2003	Liem Ho, et al.	606	157	
	6,524,338	02/25/2003	Steven R. Gundry	623	2.11	
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	6,619,291	09/16/2003	Edwin J. Hlavka, et al.	128	898	
	6,629,534	10/07/2003	Frederick G. St. Goar, et al.	128	898	
	6,641,593	11/04/2003	Laurent Schaller, et al.	606	157	
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	6,689,164	02/10/2004	Jacques Seguin	623	2.36	
	6,706,065	03/16/2004	Jonathan J. Langberg, et al.	623	2.37	
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	6,723,038	04/20/2004	Richard F. Schroeder, et al.	600	16	
	6,767,362	07/27/2004	Stefan Schreck	623	2.11	
	6,793,673	09/21/2004	Leonard Kowalsky, et al.	623	2.36	
	6,797,002	09/28/2004	Paul A. Spence, et al.	623	2.38	
	6,810,882	11/02/2004	Jonathan J. Langerg, et al.	128	898	
	6,824,562	11/30/2004	Mark L. Mathis, et al.	623	2.36	
	6,840,246	01/11/2005	Stephen W. Downing	128	898	
	6,872,223	03/29/2005	George T. Roberts, et al.	623	1.11	
	6,893,459	05/17/2005	John Macoviak	623	2.11	
EXAMINER			DATE CONSIDERED			

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<b>U.S. PATENT DOCUMENTS</b>							
EXAMINER'S INITIALS	PATENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE	
	6,908,482	06/21/2005	Patrick M. McCarthy, et al.	623	2.36		
	6,921,407	07/26/2005	John D. Nguyen, et al.	606	142		
	6,926,715	08/09/2005	Wallace Nell Hauck, et al.	606	41		
	6,942,694	09/13/2005	John R. Liddicoat, et al.	623	2.36		
<b>FOREIGN PATENT DOCUMENTS</b>							
EXAMINER'S INITIALS	PATENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO
	EP 1 554 990	07/20/2005	EP	A61F	2/00	<input type="checkbox"/>	<input type="checkbox"/>
	WO 1999/030647	06/24/1999	WIPO	A61F	2/24	<input type="checkbox"/>	<input type="checkbox"/>
	WO 2004/012583	02/12/2004	WIPO	A61B		<input type="checkbox"/>	<input type="checkbox"/>
	WO 2004/060217	07/22/2004	WIPO	A61F	2/24	<input type="checkbox"/>	<input type="checkbox"/>
	WO 2004/112585	12/29/2004	WIPO	A61B		<input type="checkbox"/>	<input type="checkbox"/>
	WO 2004/112651	12/29/2004	WIPO	A61F		<input type="checkbox"/>	<input type="checkbox"/>
	WO 2004/112658	12/29/2004	WIPO	A61F	2/24	<input type="checkbox"/>	<input type="checkbox"/>
	WO 2005/007036	01/27/2005	WIPO	A61F	2/24	<input type="checkbox"/>	<input type="checkbox"/>
	WO 2005/007037	01/27/2005	WIPO	A61F	2/24	<input type="checkbox"/>	<input type="checkbox"/>
	WO 2005/007219	01/27/2005	WIPO	A61M		<input type="checkbox"/>	<input type="checkbox"/>
	WO 2005/009285	02/03/2005	WIPO	A61F		<input type="checkbox"/>	<input type="checkbox"/>
	WO 2005/025644	03/24/2005	WIPO	A61M		<input type="checkbox"/>	<input type="checkbox"/>
	WO 2005/046488	05/26/2005	WIPO	A61B	17/00	<input type="checkbox"/>	<input type="checkbox"/>
	WO 2005/055883	06/23/2005	WIPO	A61F	2/06	<input type="checkbox"/>	<input type="checkbox"/>
	WO 2005/062931	07/14/2005	WIPO			<input type="checkbox"/>	<input type="checkbox"/>
EXAMINER			DATE CONSIDERED				

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